

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Elisa Vitale, Case Manager
 JL Joel Lawson, Associate Director Development Review
DATE: April 28, 2015

SUBJECT: BZA Case 18992 - request for variance relief pursuant to DCMR 11 § 3103.2 from the requirements regarding nonconforming structures with respect to side yard (§§ 775.5 and 2001.3) at 1015 E Street SE.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the requested area variance relief for extension of a nonconforming side yard (6 feet required, 2 feet and 2 inches existing and proposed) (§§ 775.5 and 2001.3).

II. LOCATION AND SITE DESCRIPTION

Address	1015 E Street SE
Legal Description	Square 973, Lot 813
Ward/ANC	6/6B
Lot Characteristics	The property is rectangular in shape. The property measures 120 feet in length and 18 feet and 5 inches in width. The property abuts E Street SE to the north and properties improved with attached row structures to the east, south, and west. A portion of the property, at the south west corner, adjoins an improved 10-foot public alley.
Zoning	Capitol Hill Commercial (CHC)/C-2-A – medium density commercial.
Existing Development	Two-story semi-detached flat, constructed circa 1880, which is permitted in this zone.
Historic District	Capitol Hill Historic District
Adjacent Properties	To the east at 1017 E Street SE is a two-story commercial business in the CHC/C-2-A zone. To the west at 1013 E Street SE is two-story commercial building, also in the CHC/C-2-A zone that is proposed to be redeveloped for multi-family residential use.
Surrounding Neighborhood Character	The surrounding neighborhood contains a mix of commercial office, retail, and residential uses.

III. APPLICATION IN BRIEF

The Applicant, Goulston and Storrs on behalf of Congressional 1015 E Street, LLC, proposes to construct a two-story addition at the rear of the property and convert the existing flat to a 5-unit apartment building. The existing building is a contributing building in the Capitol Hill Historic District. The main block of the existing flat is approximately 30 feet in depth with an approximately 25-foot deep addition. The Applicant is proposing to demolish the 25-foot deep addition and construct a new 41-foot and 10 inch deep addition.

IV. ZONING REQUIREMENTS AND RELIEF REQUESTED

CHC/C-2-A Zone	Regulation	Existing	Proposed	Relief
Height § 770.1	50 ft. max.	23 ft. 10 in. 2 stories	23 ft. 10 in. 2 stories	None required
Floor Area Ratio § 771.2	2.5 max.	0.7	1.05	None required
Lot Occupancy § 772.1	60 % max.	39.23 %	58.76 %	None required
Rear Yard § 774.1	15 ft. min.	66 ft.	48 ft. 2 in.	None required
Side Yard § 775.5	6 ft. min.	2 ft. 2 in.	2 ft. 2 in.	3 ft. 8 in.

V. OFFICE OF PLANNING ANALYSIS

- a. The Applicant is requesting variance relief under § 3103.2 from the requirements regarding expansion of a nonconforming side yard (§§ 775.5 and 2001.3) to construct a two-story addition to an existing flat.

- i. **Exceptional Situation or Condition Resulting in a Practical Difficulty**

The property exhibits an exceptional condition in that it is improved with a semi-detached dwelling with a nonconforming side yard (6 feet required, 2 feet and 2 inches existing and proposed). The building, which is contributing to the Capitol Hill Historic District, is unique in that it is semi-detached while other contributing buildings constructed during the period of significance for the historic district are attached. The Historic Preservation Review Board (HPRB) identified the side yard as characteristic of the property and worthy of maintenance. The preservation of the side yard results in a practical difficulty because the construction of a conforming addition would deviate from the historic character of the building.

- ii. **No Substantial Detriment to the Public Good**

The proposed addition would comply with the rear yard requirement and would extend along the length of the rear property lines at 503 and 505 11th Street SE, as well as along a portion of the rear property line at 507 11th Street SE. The properties are improved with two-story row structures in the C-2-A zone. District of Columbia records indicate that 503 11th Street SE is used as a residence, 505 11th Street SE is used as a commercial office, and 507 11th Street SE is used as commercial retail.

While the proposed addition would have windows on the west façade, it would not feature windows on the east façade. The proposed addition would not be visible from the public space on E Street SE or 11th Street SE.

The proposed addition (HPA No. 14-721) received conceptual approval from the HPRB at its February 26, 2015 meeting.

iii. No Substantial Harm to the Zoning Regulations

Granting the requested relief would not impair the intent of the Zoning Regulations. A side yard is not required in the C-2-A zone and the applicant is not proposing to provide a side yard at the eastern property line. Extension of the nonconforming side yard at the western property line will not adversely affect the availability of light and air to the subject property or the property to the west.

VI. COMMENTS OF OTHER DISTRICT AGENCIES

Comments from the District Department of Transportation will be provided under separate cover.

VII. COMMUNITY COMMENTS

Advisory Neighborhood Commission (ANC) 6B took no position on the application at its April 20, 2015 meeting. Four letters in opposition to the relief have to date been submitted (Exhibits 17, 19, 20, and 21).

Attachment: Location Map

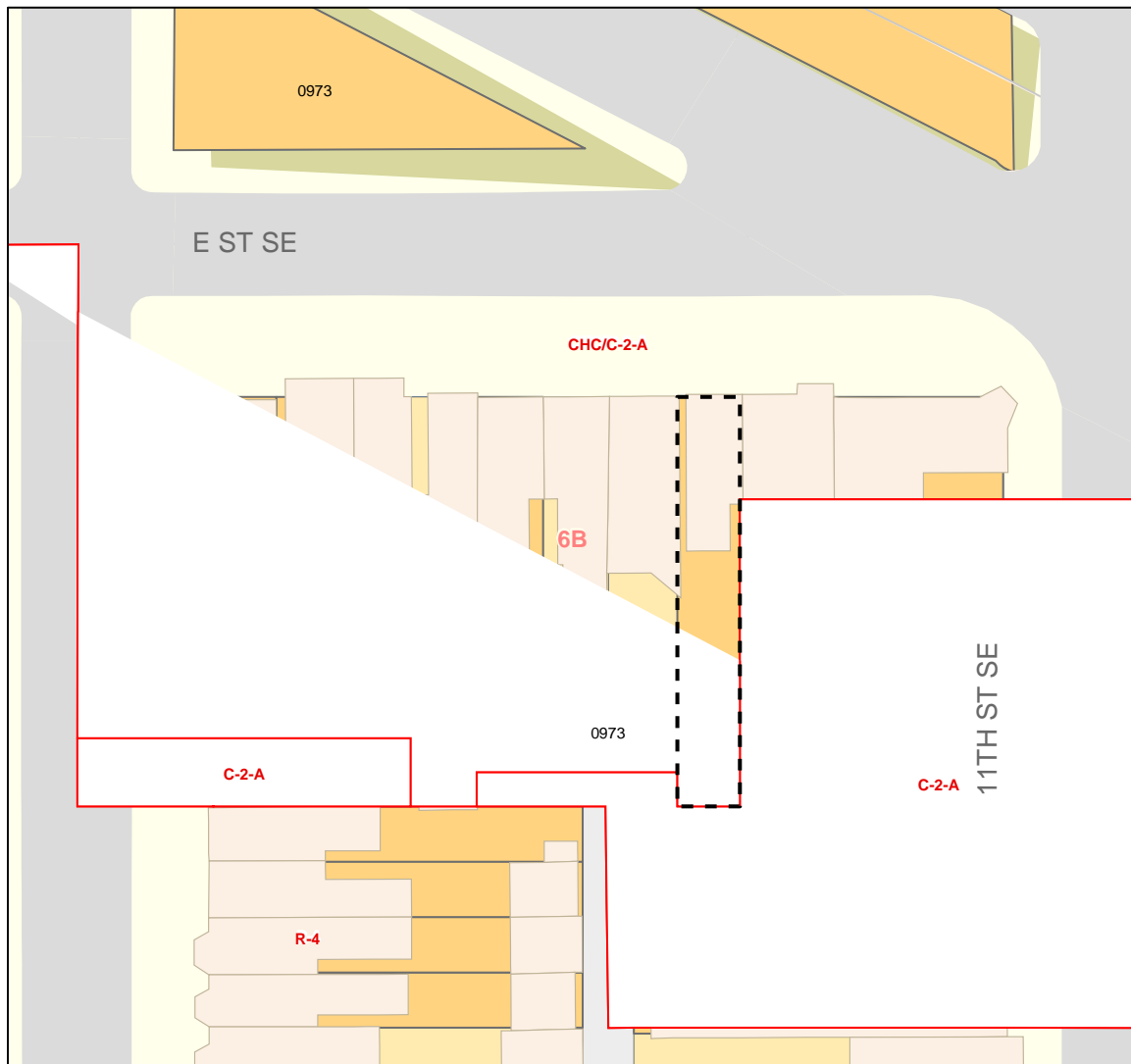


Figure 1: Location Map